1FM 1618

In re Application of:

Wolfgang HEIL et al.

Confirmation No.: 7991

Serial No.: 09/757,688

Examiner:

L.S. Channavajjala

Filed:

January 11, 2001

Group Art Unit:

1615

Title:

DROSPIRENONE FOR HORMONE REPLACEMENT THERAPY

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

1.97 a		as follows:	it is made in accordance with 37	,
Timin	IG AND		01 FC:1806	180.00 OP
		37 C.F.R. § 1.97(b), no fee or sure statement is filed:	statement is required for filing	this information
		within three months of the fi CPA under § 1.53(d);	iling date of a national applicati	on other than a
		within three months of the acapplication; OR	ctual filing date of the national	phase of a PCT
		before the mailing of a first s an RCE).	ubstantive office action (includin	ng after filing of
$\boxtimes$			ormation disclosure statement is b), but before the mailing date of	
	$\boxtimes$	a final rejection under 37 C.F.	R. § 1.113;	
	$\boxtimes$	termination of prosecution, e.g	g. Ex Parte Quayle, M.P.E.P § 60	9(B)(2); OR
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	is acco	ompanied by:		

	the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
	a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
	Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
	a final action under 37 C.F.R. § 1.113;
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	a notice of allowance under 37 C.F.R. § 1.311;
	AND is filed on or before payment of the issue fee; AND is accompanied by:
	the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).
STAT	EMENTS UNDER 37 C.F.R. 1.97(e)
	Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
	No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
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	Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
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$\boxtimes$	Copies of the materials listed are attached.
Non-	English Language References
	A translation of the Non-English language document is provided.
	An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:					
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	which was published only on or after this filing date  D = cited in the application					
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	Translation of other relevant information on foreign search report					
Отне	Information					
counte	The cited documents are filings in Civil Action No. 05-02308 which include claim for invalidity of U.S. Patent 6,787,531.	es a				
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	Please charge to Deposit Account No. 13-3402 \$ for the fee identified	l above.				
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	Respectfully submitted,					
	John A Soft Box No. 22 102					
	John A. Sopp, Reg. No. 33,103 Attorney for Applicants					
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known			
				Application Number	09/757,688		
				Filing Date	January 11, 2001		
				First Named Inventor	Wolfgang HEIL et al.		
				Group Art Unit	1615		
(use as many sheets as necessary)			necessary)	Examiner Name	L.S. Channavajjala		
Sheet	1	of	1	Attorney Docket Number	PLOVIN-2A		

	·	NON PATENT LITERATURE DOCUMENTS			
xaminer Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
		Civil Action 05-02308 in U.S. District Court for District of New Jersey, Schering AG Complaint for Patent Infringement of U.S. Patent 6,787,531 against Barr.			
		Barr Answer and Counter claims in Civil Action 05-02308			
Schering AG Reply to Barr Counterclaims in Civil Action 05-02308					
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